

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tatsuo Shimizu

Application No.: 10/565,128

Filing Date: 2006.01.17

Title: CURRENT COLLECTING STRUCTURE AND ELECTRODE STRUCTURE

Group Art Unit: 4111

Examiner: Amanda J. Barrow

Attorney Dkt. No.: 06.22.01.P

RESPONSE TO WRITTEN RESTRICTION REQUIREMENT

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

June 17, 2009

Assistant Commissioner:

In the Office Action mailed March 17th, 2009, the Examiner stated that Applicant had set forth claims that contained two patentably distinct inventions, i.e.,

Group I: Claims 1, 4-8 and 10, drawn to a current collecting structure and;

Group II: Claims -2, 3 and 9, drawn to current collecting structure.

Further, the Office Action requires, when invention I was elected, to elect one of two following species, i.e.,

Species 1: Claim 6, directed to a battery comprising an electrode structure, and

Species 2: Claim 7, directed to a capacitor comprising an electrode structure.

In response to the written restriction requirement of Applicant hereby elects Group I drawn to a current collecting structure, i.e., Claims 1, 4-8, and 10, and among Claims 1, 4-8 and 10 of Group 1, Applicant further elects Species 1, directed to a capacitor comprising an electrode structure, Claim 6.

Examiner suggested that Claims 1, 4, 5, 8, and 10 were generic, and therefore upon the allowance of the generic claims, Applicant should be entitled to consideration

of claims to additional species which are written in dependent form or otherwise included all the limitations of an allowed claim as provided by 37 CFR 1.141.

Please charge any fee deficiency or credit any overpayment with respect to this paper and or this application to Apex Juris Deposit Account No. 50-2069. Should Examiner believe further discussion regarding the above claimed language would expedite prosecution they are invited to contact the undersigned at the number listed below.

Respectfully submitted,

/Tracy M Heims 53010/

Tracy M Heims

Registration No. 53,010

Apex Juris, pllc
12733 Lake City Way Northeast
Seattle, Washington 98125
Tel: 206-664-0314 Fax: 206-664-0329
Email:usa@apexjuris.com